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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

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930 E Lyndale LEGISLATIVE COUNCIL

Helena, Montana 59601

FINANCING
PUBLIC
EDUCATION

HJR 34 passed the Legislature requesting a study of the financing of public education in Montana. This study request was included in the priority poll and was ranked fifth overall in the poll. At its meeting in May, the Legislative Council voted to ask the Finance Committee to conduct the study. Legislators involved with the study request during the session asked that this decision be reconsidered and that an interim subcommittee be designated to conduct the study. Anticipating the acceptability of this proposal, the Committee on Committees and the Speaker tentatively appointed members to a subcommittee. Three members of the Legislative Council met with the Finance Committee at its June 24 meeting to discuss the matter. At that meeting the Finance Committee voted not to accept the request to conduct the study. The Legislative Council will formally reconsider its action at a meeting July 6.

FIVE-STATE
CONFERENCE

The Five-State Legislative Conference will be held this year in Rapid City, South Dakota, September 27-29. This informal conference brings together legislators from the Dakotas, Nebraska, Wyoming, and Montana once every two years. The Legislative Council voted at its June 19 meeting to sponsor up to 10 legislators to attend this conference. Limited funds require study of means to travel to the conference, and the use of a state plane is being explored. If you are interested in attending or learning more about the conference, please contact Bob Person of the Legislative Council at 449-3064 for information.

SALARY
COMMISSION

The Legislative Council has set aside \$2,000 of its interim studies and conferences budget to support the activities of the Salary Commission. The Council has a statutory responsibility to support this Constitutionally established commission. The Council will ask that the budget responsibility for the group be shifted elsewhere by a bill in the next session.

NCSL The Council asked that every member who was designated to serve on an NCSL committee be informed by letter of the specifics of limited funding in that area. That letter was mailed June 23. If you have any questions, call the Council office. Also, if there are designated members who have not yet been contacted by NCSL, contact the Council office.

RIGHT-TO-KNOW
POLICY The Council has adopted a written policy establishing the administrative guidelines for implementation of the constitutional right-to-know. The policy essentially says that all documents at the Legislative Council are open to public scrutiny with the exception of certain personnel records of a particularly personal nature. Some documents, such as bills being drafted, will not be available immediately on demand to prevent undue disruption of productivity. Copies of documents may be had for a nominal charge. For a copy of the policy in detail, contact the Council.

AMENDATORY
VETOES Because of the number of amendatory vetoes during the past session, the Council asked for a staff analysis of the reasons for the vetoes. Of particular concern was the question of whether the quality of staff work had slipped resulting in an increase in the vetoes. The analysis showed that 40 bills were sent back for amendment by the Governor. One of those was ultimately vetoed. Of the rest, 10 were vetoed on policy grounds, 4 were to change titles, and 31 were to make technical changes. Of those 31, two contained internal reference errors that were present in the original draft. Some were for corrections that may be arguable. Good close staff attention in the Governor's office accounted for the bulk of the returns.

INTERIM STUDY
OUTCOMES A staff report for the Council showed the following results of interim study bills in the past session:

31 bills were recommended
13 bills passed without major amendments
3 bills passed having been significantly amended
14 bills failed
1 bill was not introduced

INTERIM STUDIES

MEMBERS
APPOINTED The Speaker and the Committee on Committees have appointed the members of the interim subcommittees designated by the Legislative Council. We will report the leadership as the committees meet and select their officers. The committee members and study resolutions are as follows:

JOINT SUBCOMMITTEE ON FISH AND GAME

Study Resolution: HJR 47

Sen. Harry Berg	Rep. Orval Ellison
Sen. Jack Galt	Rep. L. H. Nilson
Sen. Judy Jacobson	Rep. Chris Stobie
Sen. Pete Story	Rep. Glenn Roush

JOINT SUBCOMMITTEE ON HIGHWAYS

Study Resolution: HJR 56

Sen. Roger Elliott	Rep. John Harp
Sen. Jack Healy	Rep. Paul Kropp
Sen. Lawrence Stimatz	Rep. Paul Pistoria
Sen. Larry Tveit	Rep. Steve Waldron

JOINT SUBCOMMITTEE ON JUDICIARY

Study Resolutions: SJR 2 and SJR 30

Sen. Gary Aklestad	Rep. Aaron Andreason
Sen. Steve Brown	Rep. Aubyn Curtiss
Sen. Allen Kolstad	Rep. Michael Keedy
Sen. Jozeph Mazurek	Rep. Gerald Kessler

JOINT SUBCOMMITTEE ON BUSINESS

Study Resolution: HJR 48

Sen. Bruce Crippen	Rep. Chuck Cozzens
Sen. William Hafferman	Rep. Helen O'Connell
Sen. George McCallum	Rep. David O'Hara
Sen. Thomas Towe	Rep. Joe Quilici

JOINT SUBCOMMITTEE ON HUMAN SERVICES

Study Resolutions: SJR 29 and HJR 20

Sen. Mike Halligan	Rep. Francis Baranovue
Sen. Jan Johnson	Rep. R. Budd Gould
Sen. Bill Norman	Rep. Kerry Keyser
Sen. Jesse O'Hara	Rep. Red Menahan

JOINT SUBCOMMITTEE ON TRANSPORTATION

Study Resolutions: HJR 33 and HJR 27

Sen. Paul Boylan	Rep. Verner Bertelsen
Sen. Mark Etchart	Rep. Glenn Jacobsen
Sen. Gary Lee	Rep. Carl Seifert
Sen. Dave Manning	Rep. John Shontz

JOINT SUBCOMMITTEE ON FINANCING OF PUBLIC EDUCATION

Study Resolution: HJR 34

Sen. Chet Blaylock	Rep. Esther Bengtson
Sen. Bob Brown	Rep. Gene Donaldson
Sen. Pat Regan	Rep. Ralph Eudaily
Sen. Stan Stephens	Rep. John Vincent

These appointments are tentative based on the results of further Council consideration. See item on page 1.

JOINT SUBCOMMITTEE ON HIGHWAYS

FIRST MEETING,
JUNE 29

Rep. John Harp (R-Kalispell) was elected chairman and Sen. John E. "Jack" Healy (D-Butte) vice-chairman of the Joint Subcommittee on Highways. The committee met June 29 to review the study plan and clarify objectives. Representatives of the Department of Highways discussed that agency's policies and practices. Cooperation with the Legislative Auditor and the Legislative Fiscal Analyst, each of whom is also studying the Highway Department, was stressed to achieve the most complete review with the least duplication. The committee authorized the chairman to call the next meeting, probably in about two months. One objective of that meeting: to meet with the Highway Commission.

JOINT SUBCOMMITTEE ON JUDICIARY

FIRST MEETING,
JULY 10

The Subcommittee on Judiciary will meet for the first time on Friday, July 10, 1981, at 10:00 a.m., in Room 104 of the State Capitol.

After electing a chairman and vice-chairman, the committee will develop work plans for Senate Joint Resolutions 2 and 30. SJR 2 requests a study of restructuring Montana's judicial districts, establishing a statewide district attorney system, and providing for a statewide system of representation for indigents accused of crimes. SJR 30 directs a study of delays in the criminal appellate

process resulting from multiple and successive appeals and requests for other postconviction relief.

Attorney General Mike Greely and Supreme Court Justice John Sheehy will also address the committee on criminal justice issues related to the study resolutions.

JOINT SUBCOMMITTEE ON TRANSPORTATION

FIRST MEETING, Senator Dave Manning has called the organizational meeting of the Joint Subcommittee on Transportation, charged with carrying out the provisions of HJR 27 and HJR 33, for Monday, July 20, at 10:00 a.m. in Room 104 of the State Capitol. The purpose of the meeting is to organize the committee, adopt a study plan, and instruct the staff.

JOINT SUBCOMMITTEE ON HUMAN SERVICES

FIRST MEETING, The Joint Subcommittee on Human Services will hold its first meeting at the Capitol at 9:00 a.m. in Room 104 on July 24, 1981. The meeting will be devoted primarily to discussion of the study designs and work plans for: HJR 20, a study of the delivery of services of the Department of Institutions; and SJR 29, a study of services for youth in need of supervision. In addition, a representative of the Persistent Status Offender Task Force of the Montana Board of Crime Control's Youth Justice Council will present a report on the special needs of status offenders in Montana.

JOINT SUBCOMMITTEE ON BUSINESS

FIRST MEETING, On Friday, July 10, 1981, at 1:00 p.m. in Room 108 of the State Capitol, the Subcommittee on Business will hold its first meeting of the interim.

During this organizational meeting, the committee will elect a chairman and vice-chairman. The group will also develop a work plan for House Joint Resolution 48 requesting a study on how to improve the economic environment in Montana. Possible study topics include tax incentives, investment and loan programs, and business regulation.

ADMINISTRATIVE CODE COMMITTEE

MEETING The first meeting of the Administrative Code Committee since the adjournment of the 47th Legislature has been scheduled for Thursday, July 9, 1981, to begin at 9:00 a.m. in

Room 139 of the State Capitol. The Committee will continue its consideration of rules proposed by the Board of Land Commissioners relating to surface licensing of cabin sites and will review 1981 Issues 7 through 11 of the Montana Administrative Register. A staff report on the California Office of Administrative Law will also be presented to the Committee.

The members appointed at the last session and committee officers are as follows:

Rep. Chris Stobie,
Chairman
Rep. Fritz Daily
Rep. Hal Harper
Rep. James Schultz

Sen. Lawrence Stimatz,
Vice-Chairman
Sen. H. W. Hammond
Sen. Pete Story
Sen. Bill Thomas

FINANCE COMMITTEE

MEETING SCHEDULED

The Finance Committee met June 24 and plans to meet again August 11 at 10:00 a.m. in Room 104 of the Capitol. At its June meeting, the Committee accepted the appropriation report for the 1983 biennium. A copy of the report will be mailed to each legislator.

ENVIRONMENTAL QUALITY COUNCIL

DIRECTOR APPOINTED JUNE 15

The Environmental Quality Council met June 15 to select an Executive Director for the coming biennium. The Council appointed Debbie Schmidt as acting executive director. She assumed her duties July 1. The Executive Director of the EQC serves a two-year term, beginning July 1 of each odd-numbered year.

STUDY PRIORITIES RANKED

EQC members also discussed a priority list of natural resource issues to be studied and monitored in the interim. The EQC tentatively ranked its first ten priorities as follows: hazardous waste disposal and transportation; Northern Tier Pipeline; hard-rock mineral development in the Stillwater complex; water development; oversight of the Montana Environmental Policy Act (MEPA); oversight of oil and gas exploration and development; synthetic fuels development; monitoring and evaluation of the alternative energy grant and loan program; the progress of the next major Resource 89 (electrical generating plant proposed to be sited in Montana); noxious weed control. Other issues rated and discussed by EQC include off-stream storage of water in the Yellowstone Basin, land use planning, streamlined permitting of natural resource development, EQC reports, mitigation of economic

impacts of plant closures, oil shale development, wildlife habitat, and several other resource issues.

HEARINGS ON
MINING ON
STILLWATER
COMPLEX

Having been requested by the Legislative Council to undertake the study of the most effective means of responding to social and economic impacts of hard-rock mineral development mandated by HJR 66, the EQC, on June 16 and 7, toured the Stillwater complex areas proposed for development and held preliminary hearings in Big Timber. EQC plans to hold additional working sessions and hearings on this study in the Stillwater area.

NEXT MEETING,
JULY 13

The Council will hold its next meeting Monday, July 13, at 9:00 a.m. in Room 104 of the State Capitol. At this meeting, the EQC will establish an agenda and a work plan for the interim. The members will also begin an evaluation of the Environmental Quality Council's role as the overseer of MEPA and as a legislative staff agency in the areas of energy, the environment, and natural resource development and conservation.

The EQC actively solicits comments from legislators and interested persons on the issues to be discussed on July 13. Comments may be forwarded directly to the EQC office at 449-3742 or to a Council member.

DISTRICTING AND APPORTIONMENT

MEETING,
JULY 16

The Montana Districting and Apportionment Commission will meet July 16 to begin its task of redistricting Congressional and state legislative seats. The Commission plans to do its work in time to report to the regular session in 1983. Its schedule is established in the Constitution. The Attorney General has asked Commission Chairman Gene Mahoney to complete the work prior to the end of 1981 and has filed suit against the Commission and the Legislature in the First Judicial District. Judge Bennett has set a hearing for 2 p.m., July 14. The matter is being analyzed by Legislative Council attorneys and will be considered by the Council July 6. We will keep you informed as events progress.

AG TO SUE
FOR 1981
APPORTIONMENT

LEGISLATIVE AUDIT COMMITTEE

MEETING

The Legislative Audit Committee will meet August 10, 1981, at 9:00 a.m. in Room 135 of the State Capitol.

REPORTS

The Committee will receive and review the financial/compliance audit reports on the Employment Security

Division, Public Service Commission, and the Office of Public Instruction. The Committee will also review the performance audit on the Coal Board.

REPORTS
AVAILABLE

Copies of all reports are available from the Office of the Legislative Auditor, Room 135, State Capitol, telephone 449-3122.

LEGISLATIVE INTERIM CALENDAR

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

JULY

SAVING

			1	2	3	4
5	6	7	8	9	10	11
	LEGISLATIVE COUNCIL RM 139 10:00 am			ADMINISTRATIVE CODE COMM. RM 139 9:00 am	JUDICIARY SUBCOMMITTEE RM 104 - 10:00am BUSINESS SUBCOMMITTEE RM 108 - 1:00pm	
12	13	14	15	16	17	18
	EQC RM 104	CAPITOL BUILDING & PLAN. (tentative) RM 139		APPORTIONMENT COMMISSION (tentative) RM 139		
19	20	21	22	23	24	25
	TRANSPORTATION SUBCOMMITTEE RM 104 10:00 am				HUMAN SERVICES SUBCOMMITTEE RM 108 9:00 am	
26	27	28	29	30	31	
		NATIONAL CONFERENCE OF STATE LEGISLATURES - ANNUAL MEETING ATLANTA JULY 27-31				

MEETING DATES ARE SUBJECT TO CHANGE

LEGISLATIVE INTERIM CALENDAR

AUGUST

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

							1
2	3	4	5	6	7		8 REVENUE OVERSIGHT RM 104 10:00 am
9	10 FINANCE COMMITTEE RM 104 LEGISLATIVE AUDIT COMMITTEE RM 139 - 9 am	11	12	13	14		15
16	17	18	19	20	21		22
23	24	25 WESTERN CONFERENCE COUNCIL OF STATE GOVERNMENTS RENO July 24-27	26	27	28		29
	30	31					

MEETING DATES ARE SUBJECT TO CHANGE

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